

**USMSIN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JUSTIN J. ALLEE,

Plaintiff,

V.

STREEVAL, ET AL.,

Defendants.

Case No. 7:21CV00088

OPINION AND ORDER

JUDGE JAMES P. JONES

Justin J. Allee, Pro Se Plaintiff.

The plaintiff, Justin Allee, a federal inmate proceeding pro se, filed this civil rights action under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), alleging numerous and unrelated claims concerning alleged events at the United States Penitentiary Lee (“USP Lee”). By separate Order, the court has directed him to file a Third Amended Complaint to correct noted deficiencies in this case or face its dismissal.

I previously also denied Allee’s separate request for interlocutory injunctive relief. *Allee v. Streeval*, No. 7:21CV00088, 2021 WL 2784555 (W.D. Va. July 2, 2021). In that motion, Allee asked the court to direct the U.S. Marshals Service (“USMS”) to investigate whenever he failed to answer a court order to be sure he was not being tortured. I found that this motion was built on mere speculation and failed to show any likelihood of success on the merits. *Id.* at 1.

Allee has moved for reconsideration of this ruling. His motion presents entirely new allegations about Allee's problems in federal prison: legal mail not properly marked, a captain and his wife being escorted away from the prison by the USMS, statements by other inmates who claim to have overheard officers admitting to planting a weapon in Allee's cell, and alleged denial of disciplinary appeal forms. Now, Allee wants me to order his removal from USP Lee. Because the motion does not identify any error in my prior ruling, it is **ORDERED** that the motion, ECF No. 40, seeking reconsideration of the Order denying Allee's motion for interlocutory relief, is DENIED.

ENTER: November 17, 2021

/s/ JAMES P. JONES
Senior United States District Judge